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FIRE INSURANCE COMPANY

7  
8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA – SAN JOSE DIVISION  
10

11 WEST MARINE PRODUCTS, INC., a  
California Corporation,  
12 Plaintiffs,

13 v.  
14 NATIONAL UNION FIRE  
INSURANCE COMPANY OF  
PITTSBURGH, PA, a Pennsylvania  
15 Corporation; WESTCHESTER FIRE  
INSURANCE COMPANY, a  
16 Pennsylvania Corporation; FEDERAL  
INSURANCE COMPANY, a New  
17 Jersey Corporation; and DOES 1  
18 through 10, inclusive,

19 Defendants.

20 Case No. 5:21-cv-01940-EJD  
[Assigned to United States District  
Judge Edward J. Davila and United  
States Magistrate Judge Nathanael M.  
Cousins]

21  
22 **JOINT NOTICE OF SETTLEMENT**

23 Plaintiff West Marine Products, Inc. and Defendant Westchester Fire  
24 Insurance Company give notice that the parties have reached a settlement of all  
25 claims asserted in this case. The parties have executed a written settlement  
26 agreement, and they anticipate filing a stipulation for dismissal with prejudice  
27 within the next 30-45 days. In light of the settlement, the parties withdraw the

1 following pending motions: (1) Westchester's Motion for Judgment on the  
2 Pleadings (Docket #53); and (2) West Marine's Request for Leave to File Amended  
3 Complaint (Docket #56).

4  
5 Dated: March 23, 2023

CLYDE & CO US LLP

6  
7 By: /s/ Sean R. Simpson  
8 Ralph A. Guirgis  
9 Sean R. Simpson  
10 Attorneys for Defendants  
11 WESTCHESTER FIRE INSURANCE  
12 COMPANY and FEDERAL INSURANCE  
13 COMPANY

14 Dated: March 23, 2023

PASICH LLP

15 By: /s/ Shaun H. Crosner  
16 Shaun H. Crosner  
17 Michael S. Gehrt  
18 Jacquelyn M. Mohr  
19 Attorneys for Plaintiff WEST MARINE  
20 PRODUCTS, INC.

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## ATTESTATION

I, Sean R. Simpson, am the ECF user whose identification and password are being used to file the instant document. Pursuant to Local Rule 5-l(i)(3), I certify that all other signatories listed in this document, and on whose behalf the filings are submitted, concur in the filings' content and have authorized filings.

Dated: March 23, 2023

*/s/ Sean R. Simpson*

Sean R. Simpson

**CERTIFICATE OF SERVICE**

***West Marine Products, Inc. v. National Union Fire Insurance Company of Pittsburgh, PA, et al.***

**USDC, Northern District of California - San Jose Division  
Case No. 5:21-cv-01940-EJD**

**STATE OF CALIFORNIA, COUNTY OF ORANGE**

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of Orange, State of California. My business address is 2020 Main Street, Suite 1100, Irvine, CA 92614.

On March 23, 2023, I served true copies of the following document(s) described as **JOINT NOTICE OF SETTLEMENT** on the interested parties in this action as follows:

Shaun H. Crosner  
Michael S. Gehrt  
Jacquelyn M. Mohr  
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Attorneys for Plaintiff West Marine Products, Inc.

**BY CM/ECF NOTICE OF ELECTRONIC FILING:** I electronically filed the document(s) with the Clerk of the Court by using the CM/ECF system. Participants in the case who are registered CM/ECF users will be served by the CM/ECF system. Participants in the case who are not registered CM/ECF users will be served by mail or by other means permitted by the court rules.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on March 23, 2023, at Irvine, California.

## Conchita Nickles